

REMARKS/ARGUMENTS

The rejections presented in the Office Action dated February 13, 2007 (hereinafter Office Action) have been considered. Reconsideration of the pending claims and allowance of the application in view of the present response is respectfully requested.

Applicant appreciates the indication of allowance for Claims 1 and 3-9.

With respect to the §101 rejection of Claims 10 and 12-18, Applicant has amended independent Claim 10 to more explicitly identify a practical application for the claimed method. The changes merely identify limitations that were implicitly present in the original claim in that the claimed method for performing Viterbi decoding includes generating decoded data. As such, the changes do not introduce new matter. Since these claims are now explicitly directed to statutory subject matter and are not rejected for any other reasons, Claims 10 and 12-18 are believed to be in condition for allowance. Applicant accordingly requests that the rejection be withdrawn.

Without acquiescing to characterizations of the asserted art, Applicant's claimed subject matter, or to the applications of the asserted art or combinations thereof to Applicant's claimed subject matter and in an effort to facilitate prosecution, Applicant has amended independent Claim 19 to indicate that the connections between the inputs and outputs of the ACS units are implemented in such a manner that $\log_2 P$ path metrics are calculated per one memory read/write operation pair, as was previously claimed in dependent Claims 2 and 11 and as is claimed in Claims 1 and 10. Since these limitations were originally present in the pending application, these changes do not introduce new matter. In view of these changes, Claim 19 is believed to be patentable over the cited references for the reasons discussed below.

The §103(a) rejection of Claim 19 is based on a combination of the teachings of U.S. Patent No. 6,690,750 to Hocevar *et al.* (hereinafter "Hocevar") in view of U.S. Patent No. 5,027,374 to Rossman (hereinafter "Rossman"), and Applicant submits that these references, alone or in combination, do not teach or suggest each of the claimed limitations. The Examiner acknowledges at page 4 that Hocevar does not teach that in calculating consecutive metrics of the trellis, the calculated metrics of the previous stage of the trellis

obtained from the outputs of the ACS units are directly connected to the inputs of the ACS units to be used in the calculation of the next stage of the trellis. While the teachings of Rossman are asserted as disclosing ACS units in series, no assertion has been made that the connection of Rossman's ACS units are implemented in such a manner that $\log_Y P$ path metrics are calculated per one memory read/write operation pair, wherein P is the number of data paths and Y is the number of branches from/to a state. No teaching has been identified in either of the asserted references as corresponding to this claimed path metric calculation. As neither of the references has been asserted to teach, nor does either reference appear to teach, the claimed path metric calculation, any combination of the asserted references must fail to correspond to at least these claimed limitations. Applicant accordingly requests that the §103(a) rejection be withdrawn.

Authorization is given to charge Deposit Account No. 50-3581 (NKO.012.US) any necessary fees for this filing. If the Examiner believes it necessary or helpful, the undersigned attorney of record invites the Examiner to contact the undersigned attorney to discuss any issues related to this case.

Respectfully submitted,

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Date: May 9, 2007

By: 

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